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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,469	11/09/2001	David C. Ward	13172.0014U2	5187

7590 11/23/2004

NEEDLE & ROSENBERG, P.C.  
The Candler Building  
Suite 1200  
127 Peachtree Street, N.E.  
Atlanta, GA 30303-1811

EXAMINER

FREDMAN, JEFFREY NORMAN

ART UNIT	PAPER NUMBER
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1637

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notice of Allowability

Application No.

10/037,469

Examiner

Jeffrey Fredman

Applicant(s)

WARD ET AL.

Art Unit

1637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-19 and 27-63.
3. ☒ The drawings filed on 09 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/22/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

JEFFREY FREDMAN  
PRIMARY EXAMINER

### **SUPPLEMENTAL ALLOWANCE**

1. This supplemental action is mailed to correct the claims which were allowed, since claims 20-26 were cancelled in the amendment filed March 11, 2004, they are not allowed, but claims 1-19 and 27-63 are allowed. Further, the IDS filed March 22, 2004 was considered.

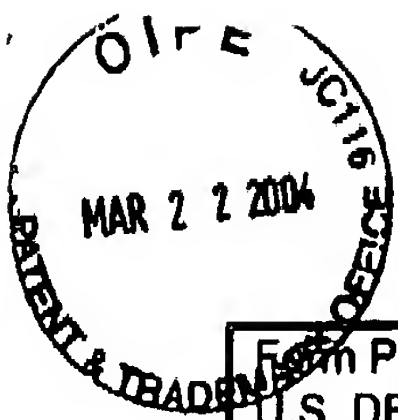
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Fredman whose telephone number is (571)272-0742. The examiner can normally be reached on 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on (571)272-0782. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JEFFREY FREDMAN  
PRIMARY EXAMINER  

<b>Form PTO-1449</b> <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>LIST OF INFORMATION CITED BY APPLICANT</b> (Use as many sheets as necessary)	Complete if Known	
	Application Number	10/037,469
	Filing Date	November 9, 2001
	First Named Inventor	David C. Ward
	Group Art Unit	1634
	Examiner Name	Fredman, Jeffrey Norman

U.S. PATENT DOCUMENTS							
Examiner's Initials	Cite No.	Document No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
N	D1	5,866,336	02/02/99	Nazarenko et al.			
	D2	5,876,924	03/02/99	Zhang et al.			
	D3	5,942,391	08/24/99	Zhang et al.			
	D4	6,033,881	03/07/00	Himmeler et al.			
	D5	6,096,880	08/01/00	Kool et al.			
	D6	6,117,635	09/12/00	Nazarenko et al.			
	D7	6,221,603 B1	04/24/01	Mahtani et al.			
	D8	6,255,082 B1	07/03/01	Lizardi et al.			
	D9	6,291,187 B1	09/18/01	Kingsmore et al.			
	D10	6,323,009 B1	11/27/01	Lasken et al.			

FOREIGN PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code	Date	Name

NON-PATENT DOCUMENTS		
Examiner's Initials	Cite No.	Non-Patent Citations (include Author, Title, Publisher, Relevant Pages, Date and Place of Publication)
N	D11	Gusev et al. Rolling Circle Amplification: A New Approach to Increase Sensitivity for Immunohistochemistry and Flow Cytometry, <i>American Journal of Pathology</i> , 159(1): 63-69 (July 2001)
N	D12	Mullenix et al. Allergen-specific IgE Detection on Microarrays Using Rolling Circle Amplification: Correlation with in Vitro Assays for Serum IgE, <i>Clinical Chemistry</i> , 47(10):1926-1929 (2001)
N	D13	Schweitzer et al. Immunoassays with Rolling Circle DNA Amplification: A Versatile Platform for Ultrasensitive Antigen Detection, <i>PNAS</i> , 97(18):10113-10119 (August 29, 2000)
	D14	Schweitzer et al. Multiplexed Protein Profiling on Microarrays by Rolling-Circle Amplification, <i>Nature Biotechnology</i> , 20:359-365 (April 2002)

Examiner Signature:	Date Considered:
<b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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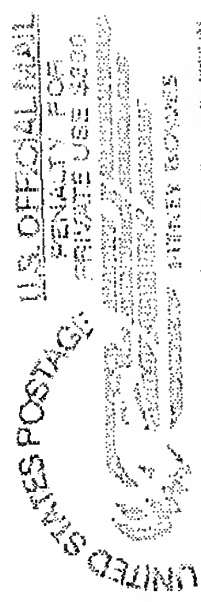
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